

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOAO BOCK TRANSACTION SYSTEMS,
LLC,

Plaintiff,

v.

SCOTTRADE, INC.,

Defendant.

Case No. 4:13-cv-01254-CDP

Judge Catherine D. Perry

NOTICE TO THE COURT
REGARDING SUBMISSION OF THE PARTIES' MOTION FOR ENTRY
OF PROTOCOL FOR DISCOVERY OF ELECTRONICALLY-STORED
INFORMATION (THE "ESI" ORDER)

Plaintiff, Joao Bock Transaction Systems, LLC ("JBTS"), and Defendant Scottrade, Inc. ("Scottrade") file jointly this Notice to the Court Regarding Submission Of The Parties' Motion For Entry Of Protocol For Discovery Of Electronically-Stored Information (the "ESI" Order), and respectfully show the Court as follows:

1. The Parties met and conferred on the terms of the Proposed ESI Order and have reached substantial agreement on substantially all provisions as anticipated by this Court's Scheduling Order (Dkt. No. 52; section 3(a)). As Counsel for the Parties use different document management systems, the main issue remaining is to determine which metadata fields are available for the production of ESI for insertion into the Proposed ESI Order.

2. In order to avoid having to burden the Court with an incomplete document that would subsequently be replaced or supplemented, the Parties need a few more days. The Parties will file the Joint Motion for an ESI Order on or before Wednesday, November 13, 2013.

3. Undersigned Counsel for JBTS attempted to file this notice several times in the evening of Friday, November 8, 2013 and once more on Saturday, November 9, 2013, but was not able to complete the filing process. Error messages received at the last step of the filing process indicated an error within the CM/ECF system that prevented the filing.

Respectfully submitted,

November 10, 2013,

By: s/ Jonathan R. Miller
Jonathan R. Miller (*pro hac vice*)
HENINGER GARRISON DAVIS LLC
3621 Vinings Slope, Suite 4320
Atlanta, Georgia 30339
Telephone: 404.996.0863
Facsimile: 205.557.5506
jmiller@hgdllawfirm.com

Steven W. Ritcheson (*pro hac vice*)
HENINGER GARRISON DAVIS LLC
9800 D. Topanga Canyon Blvd., #347
Chatsworth, California 91311
Telephone: 818.882.1030
Facsimile: 205.326.3332
swritcheson@hgdllawfirm.com

Maureen V. Abbey (*pro hac vice*)
HENINGER GARRISON DAVIS LLC
220 Saint Paul Street
Westfield, New Jersey 07090
Telephone: 908.379.8475
Facsimile: 908.301.9008
maureen@hgdllawfirm.com

James G. Onder, SBN 38049
Michael S. Kruse, SBN 57818
**ONDER, SHELTON, O'LEARY &
PETERSON, LLC**
110 E. Lockwood Ave.
St. Louis, Missouri 63119
Telephone: (314) 963-9000
Facsimile: (314) 963-1700
onder@onderlaw.com
kruse@onderlaw.com

ATTORNEYS FOR PLAINTIFF
*JOAO BOCK TRANSACTION SYSTEMS,
LLC*

By: s/ B. Scott Eidson
James G. Martin, #33586MO
Jennifer E. Hoekel, #45880MO
B. Scott Eidson, #57757MO
ARMSTRONG TEASDALE LLP
7700 Forsyth Blvd., Suite 1800
St. Louis, Missouri 63105
Telephone: 314.621.5070
Facsimile: 314.621.5065
jmartin@armstrongteasdale.com
jhoekel@armstrongteasdale.com
seidson@armstrongteasdale.com

Scott J. Bornstein (*pro hac vice*)
Allan A. Kassenoff (*pro hac vice*)
GREENBERG TRAURIG, LLP
MetLife Building
200 Park Avenue
New York, NY 10166
Telephone: (212) 801-9200
Facsimile: (212) 801-6400
bornsteins@gtlaw.com
kassenoffa@gtlaw.com

ATTORNEYS FOR DEFENDANT
SCOTTRADE, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that on November 10, 2013, a true and correct copy of the foregoing was filed with the Clerk of the Court in the Eastern District of Missouri using the CM/ECF system, which will automatically send email notifications of such filing to the attorneys of record who are deemed to have consented to electronic service.

s/ Jonathan R. Miller
Jonathan R. Miller, *pro hac vice*